IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE SEVENTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION No. 35342 of 1997

Between:

Chandra Sekhar S.C.Labour Contract rep. by its President

P.Ashaiah, Co-operative Society Ltd., Regd.T.A.No.116/95,
Ambedkar Nagar,Tarnaka, Secunderabad.

..... PETITIONER

AND

1 Chief Engineer, Municipal Corporation of Hyderabad,
Tank Band Road, Hyderabad.
2 Chief Engineer, Roads & Buildings, Erramanzil,
Hyderabad.
3 University Engineer (Buildings Division).
Osmania University Hyderabad.
4 Chairman & Managing Director,
APSRTC, Musheerabad, Hyderabad.
5 Regional Manager,
Food Corporation of India, Regional Office,
5-10-193, MACE Bhavan, P.G.Road, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court will be pleased to issue a writ order or direction in the nature of Mandamus declaring the action of the respondents in insisting on furnishing Earnest Money deposit and the Clearance Certificate under APGST Act along with the application for obtaining tender schedules as a compliance relating to works sought to be awarded in favour of the Petitioner, as illegal, unconstitutional and violative of Principles of natural justice and consequently direct the respondents not to insist on furnishing Earnest Money Deposit, since the petitioner being a Labour Contract Co-operative Society, and the

APGST Clearance Certificate.

Counsel for the Petitioner : Mr.D.SETHURAMI REDDY (not present)

Counsel for Respondent No.1 : Mr.GHANTA RAMA RAO

(SC FOR MCH) (not present)

The Court made the following :

ORDER:

The petitioner filed this writ petition seeking to declare the action of the respondents in insisting him for payment of earnest money deposit upto any value of the work and production of commercial tax clearance certificate and experience certificate at the time of allotment of works or issuance of tender schedules in connection with all tender notices issued on or after 11.11.1997, as arbitrary and illegal, and consequently to direct the respondents not to insist on furnishing earnest money deposit.

When the matter came up today for hearing, none appears for the petitioner as well as the respondents.

The main relief and the interim relief sought for by the petitioner is one and the same. This Court while admitting the writ petition by order dated 5.12.1997 granted interim direction in W.P.M.P.No. 38093 of 1997. By virtue of the interim direction, no orders are required to be passed.

Therefore, the writ petition is dismissed as having become infructuous. There shall be no order as to costs.

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N.V.RAMANA, J

Date: 1.4.2005

DA/SVV

To

1 The Chief Engineer, Municipal Corporation of Hyderabad,
Tank Band Road, Hyderabad.
2 The Chief Engineer, Roads & Buildings, Erramanzil,
Hyderabad.
3 The University Engineer (Buildings Division).
Osmania University Hyderabad.
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6 Two CD copies.